

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WENDELL LEONARD PROWSE,

Petitioner,

Case No. 1:07CV395

v.

Hon. Robert J. Jonker

THE UNITED STATES OF AMERICA, et al.,

Respondent.

ORDER AND JUDGMENT
APPROVING REPORT AND RECOMMENDATION

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties on December 29, 2008. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge, filed December 29, 2008, is approved and adopted as the opinion of the court.

IT IS FURTHER ORDERED that the Defendant's Motion to Dismiss (docket #41) is **GRANTED**.

/s/ Robert J. Jonker
ROBERT J. JONKER
UNITED STATES DISTRICT JUDGE

DATED: January 16, 2009.